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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,801	01/21/2005	Mattia De Dominicis	102792-401(11044P6)	3763
27389 7590 06/25/2007 NORRIS, MCLAUGHLIN & MARCUS 875 THIRD AVE 18TH FLOOR NEW YORK, NY 10022			EXAMINER BOYER, CHARLES I	
			ART UNIT 1751	PAPER NUMBER
			MAIL DATE 06/25/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/521,801

Applicant(s)

DE DOMINICIS ET AL.

Examiner

Charles I. Boyer

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to applicants' amendment and response received January 16, 2007. Claims 1-4 and 6-9 are currently pending.

Claim Rejections - 35 USC § 102

All prior art rejections set forth in the previous office action are withdrawn in view of applicants' amendment and response.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The rejection of claims 1-9 under 35 U.S.C. 103(a) as being unpatentable over Smith et al, US 2003/0139310 is withdrawn in view of applicants' amendment and response.

3. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woo et al, US 6,833,342.

Woo et al teach a method for deodorizing carpet wherein a detergent concentrate

Art Unit: 1751

is diluted in a container and the diluted solution is contacted with the carpet via a carpet extractor (see abstract). An example of such a composition comprises 1% silicone glycol copolymer, 1% quaternary ammonium surfactant, ethanol, and perfume (col. 50, example V). Though the reference teaches the same composition as that claimed, and it teaches the composition for dilution and use in a carpet cleaning machine as claimed, it appears to teach a concentrated liquid and not a solid composition. However, as a solid is the ultimate concentrate, is desirable to reduce shipping weight and volume, and solid carpet cleaning compositions for use in carpet cleaning machines are very well known in the art, one of ordinary skill in the art would find it obvious to use example V in solid form and so render obvious the claims at hand.

4. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent et al, US 6,789,290.

Kent et al teach a carpet cleaning machine and carpet cleaning composition for use therein (see abstract). An example of such a composition comprises 2% silicone glycol copolymer, 3% anionic surfactants, builders, and fragrance wherein the concentrate is diluted in water before application (col. 9, lines 1-50). Though the reference teaches the same composition as that claimed, and it teaches the composition for dilution and use in a carpet cleaning machine as claimed, it appears to teach a concentrated liquid and not a solid composition. However, as a solid is the ultimate concentrate, is desirable to reduce shipping weight and volume, and solid carpet cleaning compositions for use in carpet cleaning machines are very well known

in the art, one of ordinary skill in the art would find it obvious to use example V in solid form and so render obvious the claims at hand.

5. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al, US 2003/0070692.

Smith et al teach a method for cleaning and sanitizing a carpet wherein a powder composition is dissolved in water and applied with a commercial carpet extractor (see abstract). An example of such a composition comprises a nonionic surfactant and builders (page 17, example 3). Mixtures of nonionic surfactants such as ethoxylated alcohols are contemplated by the reference (page 19, claim 30) and suitable nonionic surfactants of the reference include silicone glycol copolymers (¶96). Accordingly, it would have been obvious to one of ordinary skill in the art to formulate a solid composition having a mixture of nonionic surfactants, including a silicone surfactant, and so render obvious the claims at hand.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 1751

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles I. Boyer whose telephone number is 571 272 1311. The examiner can normally be reached on M-Th 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on 571 272 1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Charles I Boyer

A handwritten signature in black ink, appearing to read "Charles I. Boyer", written in a cursive style.